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 Lucent Technologies Inc. and
 Alcatel-Lucent, S.A.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SANDISK CORPORATION,

 Plaintiff,

 vs.

 LUCENT TECHNOLOGIES INC. and
 ALCATEL-LUCENT, S.A.,

 Defendants.

No. C 07-03618 JF

 STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE HEARING

Date: December 21, 2007
 Time: 9:00 a.m.
 Location: Courtroom 3

AND RELATED COUNTERCLAIM

A/72353733.1/3002631-0000326417

1 Pursuant Civil L.R. 6-1(a) and Civil L.R. 7-7(b)(1), the parties stipulate to the
2 following:

3 WHEREAS, on July 17, 2007, this action for declaratory judgment of patent non-
4 infringement and invalidity was commenced in United States District Court, Northern District
5 of California, San Jose Division;

6 WHEREAS, on October 12, 2007, defendants Lucent Technologies, Inc. and
7 Alcatel Lucent, S.A. (collectively "Lucent") filed a Motion to Dismiss Without Prejudice or
8 Stay Pending Resolution of Appeal in Related Case ("Lucent's Motion");

9 WHEREAS, on October 26, 2007, plaintiff SanDisk Corporation ("SanDisk")
10 filed a Motion for Summary Judgment and a Motion to Dismiss Lucent's Counterclaim;

11 WHEREAS, on November 30, 2007, the Court heard argument on SanDisk's
12 Motions, and took the motions under submission. The Court also set a Case Management
13 Conference for January 25, 2008;

14 WHEREAS, the hearing on Lucent's Motion is calendared for December 21,
15 2007;

16 WHEREAS, for efficiency, SanDisk requested, and Lucent agreed, to continue
17 the hearing on Lucent's Motion until January 25, 2008, the date of the Court ordered CMC;

18 WHEREAS, the parties have not previously stipulated to continue the hearing.

19 NOW THEREFORE, it is STIPULATED, AGREED AND ORDERED as
20 follows:

21 The hearing on defendant Lucent's Motion to Dismiss Without Prejudice or Stay
22 Pending Resolution of Appeal in Related Case will be continued to January 25, 2008 at a time
23 to be determined by the Court.

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A/72353733.1/3002631-0000326417

1 DATED: December 17, 2007

2
3 Bingham McCutchen LLP

4
5 By: /s/ Gregory L. Lippetz
6 Gregory L. Lippetz
7 Attorneys for Plaintiff/Counter-Defendant
SanDisk Corporation

8 DATED: December 17, 2007

9
10 Kirkland & Ellis LLP

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12 By: /s/ Jenny N. Lee
13 Jenny N. Lee
14 Attorneys for Defendants/Counter-Plaintiffs
15 Lucent Technologies Inc. and
Alcatel-Lucent, S.A.

16
17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 DATED: 12/18/07

19 By: 
20 THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE